

DENTAL BOARD[650]

Adopted and Filed

Pursuant to the authority of Iowa Code section 147.76, the Dental Board hereby amends Chapter 1, “Administration,” Chapter 16, “Prescribing, Administering, and Dispensing Drugs,” Chapter 20, “Dental Assistants,” Chapter 22, “Dental Assistant Radiography Qualification,” Chapter 25, “Continuing Education,” Chapter 27, “Standards of Practice and Principles of Professional Ethics,” Chapter 29, “Deep Sedation/General Anesthesia, Conscious Sedation and Nitrous Oxide Inhalation Analgesia,” Chapter 30, “Discipline,” and Chapter 51, “Contested Cases,” Iowa Administrative Code.

Items 1 and 4 update supervision definitions for consistency with Board rules and state law. The definition of “inactive status” has also been changed to clarify existing procedures.

Item 2 adopts a new definition of “overpayments.” The Board is unable to process refunds in the state accounting system, which has resulted in delays in processing applications and renewals.

Items 3 and 16 specify that a licensee may not self-prescribe, self-administer or self-dispense controlled substances or tramadol, or prescribe, administer, or dispense these medications to members of the licensee’s immediate family.

Item 6 clarifies that graduates of accredited dental assisting programs are eligible for dental assistant registration.

Item 8 clarifies that a person who participates in dental radiography must be licensed by the Board, be currently registered as a dental assistant or hold an active nursing license, and have an active qualification in dental radiography.

Item 9 clarifies courses that may be claimed by licensees or registrants for continuing education credit.

Items 10 and 11 clarify the existing procedures used to place a license or registration on inactive status and to reinstate an inactive license or registration.

Item 13 requires that a dentist provide radiographs that are of diagnostic quality when transferring patient records.

Items 14 and 15 specify standards for use and record-keeping requirements for nitrous oxide inhalation analgesia.

Item 18 changes the quarterly fee charged to cover the Board’s expenses associated with monitoring a licensee’s or registrant’s compliance with the settlement agreement if the licensee or registrant agrees to the provision as part of a settlement agreement to resolve a contested case.

These amendments are subject to waiver at the sole discretion of the Board in accordance with 650—Chapter 7. However, pursuant to 650—27.12(17A,147,153,272C) and 650—30.4(147,153,272C), rules in Chapters 27 and 30 are not subject to waiver.

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 12, 2009, as **ARC 8044B**. A public hearing on the amendments was held on September 1, 2009. Oral comments suggesting minor revisions were received. One change has been made to the Noticed amendments. Item 5 amending paragraph 20.6(1)“a” was revised to clarify that a dentist supervising a person performing dental assistant duties must notify the Board in writing of such employment within seven days of the time the dental assistant begins work. Paragraph 20.6(1)“a” now reads as follows:

“a. A dentist supervising a person performing dental assistant duties must notify the board in writing of such employment within seven days of the time the dental assistant begins work.”

These amendments were approved at the October 27, 2009, regular meeting of the Iowa Dental Board.

These amendments are intended to implement Iowa Code chapters 153 and 272C.

These amendments will become effective on January 20, 2010.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Chs 1, 16, 20, 22, 25, 27, 29, 30, 51] is being omitted. With the exception of the change noted above, these amendments are identical to those published under Notice as **ARC 8044B**, IAB 8/12/09.

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[For replacement pages for IAC, see IAC Supplement 12/16/09.]